



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

MF

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

TM02/0313

KAARDAL & ASSOCIATES
ATTN: IVAR M KAARDAL
3500 South First Ave.
Circle-Suite 250
SIOUX FALLS SD 57105-5807

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/020,122	02/06/98	057	PATEL, J	2164 03/13/01
First Named Applicant	KIRKLIN, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION SYSTEM FOR MERCHANDISE ORDERING AND ORDER FULFILMENT

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 980106	705-028.000	D47	UTILITY	YES	\$620.00	06/13/01

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

Notice of Allowability

Application No.
09/020,122

Applicant(s)
Kirklin et al.

Examiner
Jagdish Patel

Group Art Unit
2164



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to 11/20/00.

☒ The allowed claim(s) is/are 1-57.

☐ The drawings filed on _____ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 2.

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

Art Unit: 2164

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed November 9, 2000.
2. Claims 40 has been amended. New claims 51-57 have been added.

Response to Arguments

3. The applicant's arguments regarding previously rejected claims 40-42 and 50 are persuasive in view of the amendment. Accordingly, the rejection of these claims have been withdrawn.

Allowable Subject Matter

4. Claims 1-57 are allowed.

Reasons for Allowance

5. The following is an examiner's statement of reasons for allowance:

5.1 Claims 1-15, 27, 31, 32-39: the claimed invention(s) pertains to a system for interactive transfer of inventory information in a product storage space. The following references have been identifies as closest prior art that pertain to subject claims.

Bunte et al. (US Pat. 5,873,070) teach a data collection system that utilizes partially integrated data collection and gathering devices and related peripherals.

Helms (US Pat. 5,561,710) teaches an interactive voice communication terminal which provides alpha and numeric characters transmitted from a DTMF generator to access database by interfacing with the mouthpiece of a handset via a transducer.

Art Unit: 2164

Claims 1-12, 27, 31, 32-39: Bunte and Helms references fail to teach or suggest a system for interactive transfer of inventory information which comprise a directing station which include a directing means for determining an order fulfillment path through a product storage space based upon fulfillment information and product location information stored in a database means for a product storage space where the order fulfillment path includes a sequence of person movement instructions for directing person movements between product storage locations in the product storage space for permitting an efficient assembly of products to fulfill a customer order.

Claims 13-15: Bunte and Helms references fail to teach or suggest a portable station for interactive transfer of inventory information with a remotely-located base station having a first transceiver means, which comprises a translating means for converting digital data signals received from a scanning means interfaced to a third interface means, the translating means being adapted to convert the digital data signals into DTMF-encoded transfer signals and transmitting the transfer signals to the first interface means for being wirelessly transferred to the first transceiver means of the base station by the second transceiver means which converts DTMF-encoded transfer signals received by wireless transmission from the first transceiver means to the second transceiver means and passes to the first interface means.

5.2 Claims 16-26, 28-30, 40-57: The claimed invention(s) pertain to a method of merchandise ordering and order fulfillment utilizing a telephone for creation of a merchandise order. The following references have been identified as the closest prior art:

Art Unit: 2164

Weins et al (US Pat. 5,808,894) disclose an automated ordering method, wherein a customer composes an order at a remote location into a customer computer. A connection is initiated between the customer computer and a vendor computer at a central location. The order is subsequently transmitted to the vendor computer.

Barrus et al. (US Pat. 5,465,291) disclose an interactive terminal for enabling users to order items from the central location with the aid of machine readable bar codes descriptive of the items to be ordered.

Doyle et al. (US Pat. 5,694,551) teach an electronic requisitioning system for channeling customer requisition order. A customer accessing an electronic item catalog and requisition form to place an order transmitted to a central facility.

Claims 16-26, 28-30, 40-57 are allowed because the identified most relevant prior art of record fails to teach or suggest a method of merchandise ordering and order fulfillment which comprises the unique feature recited in the respective claims as listed below:

Claims 16-26, 28-30: providing an order processing system that comprises a central station interfaced to a telephone communication network so as to be accessible to customers by telephone for creation of a merchandise order, the system further comprising a store station linked to the central station for receiving the merchandise order from the central station and the store station including a portable station movable by a user about a product storage space.

Claims 40-50: providing an order processing system that comprises a central station interfaced to a telephone communication network so as to be accessible to a customer by

Art Unit: 2164

telephone for creation of a merchandise order and *interactively* assembles a customer order for fulfillment wherein the central station generates spoken word to request a product identification item and a quantity of the product item to be added to the merchandise order.

Claims 51-53: providing an order processing system that comprises a central station interfaced to a telephone communication network so as to be accessible to a customer by telephone for creation of a merchandise order which determines if the customer has an unfulfilled merchandise order by checking an unfulfilled merchandise orders database.

Claim 54: providing an order processing system that comprises a central station interfaced to a telephone communication network so as to be accessible to customers by telephone for creation of a merchandise order which compares a requested product quantity of a product item in a merchandise order to a predetermined limit quantity established for the product item.

Claim 55: providing an order processing system that comprises a central station interfaced to a telephone communication network so as to be accessible to customers by telephone for creation of a merchandise order which selects the merchandise order transfer characteristics for effecting the transfer to the customer of the product items of the merchandise order including picking the date and the time of the transfer of the merchandise order.

Claim 56: providing an order processing system that comprises a central station interfaced to a telephone communication network so as to be accessible to customers by telephone for creation of a merchandise order which inquires whether the customer wishes to hear a recitation of product items on which there is a special offer.

Art Unit: 2164

Claim 57: providing an order processing system that comprises a central station interfaced to a telephone communication network so as to be accessible to customers by telephone for creation of a merchandise order, the order processing system comprising a store station linked to the central station for receiving the merchandise order and the store station including a portable station movable by a user about a product space.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jagdish Patel whose telephone number is (703) 308-7837. The examiner can normally be reached Monday-Thursday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065.

The fax number for Formal or Official faxes to Technology Center 2700 is (703) 308-9051 or 9052. Draft or Informal faxes for this Art Unit can be submitted to (703) 308-5397.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

03/08/01: JNP


VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100